

JUDGE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	NO. CR 06-5456 RBL
	)	
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
vs.	)	MOTION TO CONTINUE TRIAL
	)	DATE
MAURICE DERUFF POSEY	)	
	)	
Defendant.	)	
	)	

Based on the stipulated motion of the parties to continue the trial date, and the affidavit of defense counsel in support of the motion, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).

3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary  
2 to allow the defendant the reasonable time for effective preparation his defense. 18  
3 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the **TRIAL DATE** is continued from September  
6 11, 2006 to **NOVEMBER 13, 2006 at 9:00 AM.** The resulting period of delay from  
7 September 11, 2006, to December 1, 2006, is hereby excluded for speedy trial purposes  
8 under 18 U.S.C. § 3161(h)(8)(A) and (B).

9 The Motions Cutoff Date is extended to October 17, 2006

10  
11 IT IS SO ORDERED this 12th day of September, 2006.

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13   
14 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE

15 Presented By:

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18 /s/ \_\_\_\_\_  
19 Colin Fieman  
Attorney for Defendant

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22 /s/ \_\_\_\_\_  
23 Kent Y. Liu  
24 Assistant United States Attorney  
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